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TECHNOLOGIES, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MOBILE TELECOMMUNICATIONS  
TECHNOLOGIES,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA,  
INC., SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC.,

Defendants.

Case No.:

**DECLARATION OF CRAIG S. JEPSON  
IN SUPPORT OF PLAINTIFF MOBILE  
TELECOMMUNICATIONS  
TECHNOLOGIES, LLC'S  
ADMINISTRATIVE MOTION TO SEAL  
IN RE MOTION TO COMPEL THIRD-  
PARTY GOOGLE, INC. TO PRODUCE  
DOCUMENTS AND TO MAKE  
AVAILABLE AN ADDITIONAL  
WITNESS AND REQUEST FOR  
SANCTIONS PURSUANT TO FRCP 37**

1 I, Craig S. Jepson, am admitted to the Bar of the Supreme Court of the United States of  
 2 America, the Fifth Circuit, the Ninth Circuit, the Federal Circuit Court of Appeals, and to the  
 3 Bars of the United States District Courts for the Eastern, Northern, Southern, and Western  
 4 Districts of Texas and to the Northern District of Texas. I am a member in good standing of the  
 5 State Bar of Texas and the State Bar of California. I am, and have been since 1989, registered  
 6 to practice before the United States Patent and Trademark Office. (Reg. No. 33,517). I make  
 7 this declaration either from my own personal knowledge, or from the files of Reed & Scardino  
 8 LLP kept in the ordinary course of business with which I am familiar, as should be apparent  
 9 from the context of my statements. I have read and complied with Civil Local Rule 79-5.

10 1. MTel seeks to seal the highlighted portions of the unredacted version of Plaintiff  
 11 Mobile Telecommunications Technologies, LLC's Motion to Compel Third-Party Google, Inc.  
 12 to Produce Documents and to Make Available An Additional Witness And Request for  
 13 Sanctions Pursuant to FRCP 37. These portions are taken from the exhibits identified below  
 14 and should be sealed for the same reasons described below.

15 2. MTel seeks to seal the entirety of excerpts from the November 11, 2015,  
 16 deposition of Google corporate representative Franceso Nerieri, filed provisionally under seal as  
 17 **Exhibit 4** to the Declaration of Craig S. Jepson. Counsel for Google marked the entire  
 18 transcript "Confidential – Outside Counsel Only." Only those pages to which MTel directly  
 19 cites in the corresponding motion are provided as part of Exhibit 1.

20 3. MTel seeks to seal the entirety of the document "GCM Protocol," filed  
 21 provisionally under seal as **Exhibit 5** to the Declaration of Craig S. Jepson. This document was  
 22 produced by Google subject to a protective order (Dkt. No. 57), entered in the Eastern District  
 23 of Texas in the matter of *Mobile Telecommunications Technologies, LLC v. Samsung*  
 24 *Electronics Co., Ltd., et al.*, 2:15-cv-00183-JRG-RSP. Google produced the document marked  
 25 as "Highly Confidential – Outside Counsel Only."

26 4. MTel seeks to seal the highlighted portions of the unredacted version of Mobile  
 27 Telecommunications Technologies, LLC's November 20, 2015, Notice of 30(B)(6) Deposition  
 28

1 of Google, Inc., filed provisionally under seal as **Exhibit 7** to the Declaration of Craig S. Jepson.  
2 The specified portions originate from Exhibit 2 and should be sealed for the same reasons.

3 5. MTel seeks to seal the entirety of the December 9, 2015 correspondence to Ms.  
4 Andrea Roberts, filed provisionally under seal as **Exhibit 8** to the Declaration of Craig S.  
5 Jepson. This three-page correspondence is replete with information taken from exhibits 1 and 2,  
6 including a block quotation from the deposition of Mr. Nerieri.

7 6. MTel seeks to seal the highlighted portions of the unredacted version of Third  
8 Party Google, Inc.'s Response to Mobile Telecommunications Technologies, LLC's November  
9 25, 2015 Subpoena for Deposition and Documents., filed provisionally under seal as **Exhibit 9**  
10 to the Declaration of Craig S. Jepson. The specified portions include definitions taken from  
11 Exhibit 2; which is marked "Highly Confidential – Outside Counsel Only." These definitions  
12 define message types that are part of the proprietary Google protocol for GCM.

13 I declare under penalty of perjury, under the laws of the United States and the State of  
14 Texas, that the foregoing is true and correct. Executed this 11th day of January, 2016, in Austin,  
15 Texas.

16 /s/ Craig S. Jepson  
17 Craig S. Jepson  
18 Attorney, Reed & Scardino, LLP  
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